HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.17416 OF 2006

Between:

M/s. SJK Steel Plant Limited, rep., by its
Managing Director, Sri Y. Jithin Kumar,
S/o. Sri Y. Janardhan Rao, aged about 50 years,
Plot No. 75, New MLA & MP Colony, Road No.10-C,
Jubilee Hills, Hyderabad

…Petitioner

AND

The Government of India, rep., by its Secretary,
Ministry of Finance, Department of Revenue,
New Delhi and four others

...Respondents

: O R D E R :

Counsel for the petitioner : None

Counsel for the respondents : Shri A. Rajasekhar Reddy, Assistant Solicitor General

June 18, 2007

Per G.S. Singhvi, CJ

This is a petition for quashing order dated 17-5-2006 vide which the Central Board of Excise and Customs (for short, 'the Board') rejected the petitioner's prayer for waiver of interest on the customs duty.

By a detailed order dated 3-4-2007 passed in WPMP Nos. 2757 and 5493 of 2007, this Court had rejected the petitioner's prayer for interim stay.

Shri Sanga Ramakrishna Rao, who had appeared on behalf of the petitioner on 3-4-2007 along with Shri S. Ravi, Advocate, says that he does not have instructions. According to him, the petitioner has engaged some other advocate.

Since the other advocate engaged by the petitioner has not appeared to assist the Court, we are left with no option but to presume that the petitioner is not interested in prosecuting the writ petition.

With the above observation, the writ petition is dismissed in default.

While dismissing the writ petition in the manner indicated above, we deem it proper to take cognizance of the statement made by Shri A. Rajasekhar Reddy, learned Assistant Solicitor General that after rejection of its prayer for stay, the petitioner has deposited the entire amount due to the department.

As a sequel to dismissal of the writ petition in default, WPMP No. 21827 of 2006 filed by the petitioner for interim relief is also dismissed.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

June 18, 2007
ks